

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>ROZELIA BALLARD,</b>	:	
Plaintiff,	:	
	:	<b>CIVIL ACTION</b>
<b>v.</b>	:	
	:	
<b>MASTERY CHARTER SCHOOL,</b>	:	<b>No. 12-2418</b>
<i>et al.,</i>	:	
Defendants.	:	
	:	

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**ORDER**

**AND NOW**, this 14th day of December 2012, upon consideration of the Motions to Dismiss filed by Defendants Mastery Charter School, Philadelphia School District, and Intercommunity Action, Inc. (Doc. Nos. 17, 18, 21), and Plaintiff's response thereto, and for the reasons stated in the Opinion filed this day, it is hereby **ORDERED** that the Motions are

**GRANTED** as follows:

1. Plaintiff's IDEA claim is **DISMISSED without prejudice** for failure to exhaust;
2. Plaintiffs ADA and RA claims are **DISMISSED with prejudice**; and
3. All remaining claims are **DISMISSED without prejudice** for failure to state a claim.

Plaintiff is granted leave to file an amended complaint within twenty-one (21) days of the date of this Order.

It is so **ORDERED**.

**BY THE COURT:**

/s/ **Cynthia M. Rufe**

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**CYNTHIA M. RUGE, J.**